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REPORT OF THE SECRETARY-GENERAL PURSUANT TO RESOLUTION 1035 (1995)

I. INTRODUCTION

1. The present progress report is submitted pursuant to Security Council resolution 1035 (1995) of 21 December 1995, by which the Council authorized the establishment of the International Police Task Force (IPTF) in accordance with annex 11 to the General Framework Agreement for Peace in Bosnia and Herzegovina negotiated at Dayton, Ohio, and signed in Paris on 14 December 1995 (hereinafter referred to as "the Peace Agreement"), together with a civilian mission as proposed in my report of 13 December 1995 (S/1995/1031). In my report of 6 February 1996 (S/1996/83), I noted that a number of steps were under way for the early establishment of the mission, which would be known as the United Nations Mission in Bosnia and Herzegovina (UNMIBH).

II. ESTABLISHMENT OF THE UNITED NATIONS MISSION IN BOSNIA AND HERZEGOVINA

2. My Special Representative and UNMIBH Chief of Mission, Mr. Iqbal Riza, arrived in Sarajevo on 6 February 1996. A major portion of his time since then has been devoted to the activation of the mission and arranging effective coordination with the High Representative and the Implementation Force (IFOR). Together with the IPTF Commissioner, Mr. Peter FitzGerald, he has also given the highest priority, in coordination with the High Representative and IFOR, to the complex process of the transfer of authority from the Republika Srpska to the Federation of Bosnia and Herzegovina in designated suburbs of Sarajevo. My Special Representative has also initiated steps for the coordination of the activities of those elements of the United Nations system which are active on the ground in Bosnia and Herzegovina.

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* Reissued for technical reasons.

3. The transfer of authority from the United Nations Protection Force (UNPROFOR) to IFOR resulted in the transfer to IFOR of most of UNPROFOR's infrastructure, equipment and assets in Bosnia and Herzegovina, which had been largely provided by the military battalions. As a result, following the termination of UNPROFOR's mandate on 20 December 1995, a major part of its infrastructure and assets was no longer available to the United Nations. The establishment of UNMIBH has therefore required the reactivation of the few United Nations-owned resources remaining from UNPROFOR and the support of the former United Nations Peace Forces (UNPF) headquarters in Zagreb, now designated the Transition Office in the Former Yugoslavia. It is expected that UNMIBH will be fully operational in the second half of April.

4. Over the last six weeks, UNMIBH's headquarters in Sarajevo has temporarily been located in premises kindly provided by the High Representative, Mr. Carl Bildt, pending the relocation to a more permanent headquarters. This will be in a war-damaged building which is being repaired. Staff recruitment is proceeding simultaneously with the reactivation of regional offices in Sarajevo, Tuzla and Banja Luka, along with several district offices. The other district offices will be established in the coming weeks. IPTF and civil affairs staff are being co-located in most places. The communications system is being rehabilitated. As regards transportation, vehicles have been transferred from Zagreb. All administrative, logistics and other measures necessary to activate UNMIBH are being taken under provisional financial arrangements, pending the further review of the budget proposed for the Mission, and its approval by the General Assembly.

5. The General Assembly has already provided me with commitment authority in the amount of $100 million for UNMIBH and other operations in the former Yugoslavia for the period from 1 January to 31 March 1996. As regards the financing arrangements for those operations beyond 31 March 1996, the cost estimates for UNMIBH, the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES), the United Nations Preventive Deployment Force (UNPREDEP) and UNPF for the period from 1 January to 30 June 1996 have been submitted to the General Assembly in document A/50/696/Add.4. On 19 March 1996, the Controller wrote to the Chairman of the Advisory Committee on Administrative and Budgetary Questions to request additional commitment authority in the amount of $140,194,500 for these operations until 31 May 1996, pending the detailed review of the cost estimates by the Advisory Committee and the Fifth Committee. That letter has already been reviewed by the Advisory Committee. The Fifth Committee is scheduled to commence its review of the financing arrangements for UNMIBH and other operations on 1 April 1996. I must stress that UNMIBH's effective performance, as well as that of all other United Nations operations in the former Yugoslavia, depends upon the adequate and timely provision of the financial resources it needs.

International Police Task Force

6. After the adoption of resolution 1035 (1995) on 21 December 1995, I approached 53 Member States to seek the 1,721 civilian police officers authorized for the International Police Task Force in Bosnia and Herzegovina. Although a majority agreed to provide approximately 2,000 police officers, only

a few countries have been in a position to respond quickly to my request and to provide police personnel for immediate deployment. Because many Member States were unable to make police officers immediately available, deployment of the Task Force was delayed: only 400 police officers, including officers redeployed from UNPF, could therefore be deployed during January and February 1996. Over two thirds of the monitors provided were deployed in Sarajevo to supervise the transfer of police authority to the Federation. It is important to recognize that deployment of police officers to United Nations missions depends on how swiftly Member States can release them from ordinary duty in their home countries and provide them with the necessary information on the relevant United Nations peace-keeping mandate. To date, 789 officers have been deployed, while 260 are undergoing a mission-specific training programme in Zagreb and will be deployed within a week. One hundred and forty-three are scheduled for deployment by 10 April 1996 and 529 are planned for deployment before the end of April. However, past experience obliges me to observe that there is no guarantee that Member States will fulfil their commitments to make these officers available in time for them to be deployed by the end of April.

7. The IPTF Commissioner has reviewed the proposed deployment plan for the Task Force outlined in paragraph 24 of my report of 13 December 1995 (S/1995/1031). After assessing conditions on the ground and following the deployment of police officers within the regions, he is of the view that it is operationally unnecessary, administratively complicated and therefore not advisable to deploy teams to each of the 109 municipalities, many of which are close enough to be monitored effectively from one central location. As a result, the Task Force will need to deploy only to some 50 to 60 locations, with larger concentrations of monitors which will allow greater flexibility and mobility in operations in their respective areas of responsibility. I shall in due course inform the Council of the final deployment plan.

8. In general, one of the major problems encountered in the deployment of civilian police officers is the availability and professional suitability of police personnel offered by Member States. The difficulties encountered in UNMIBH have been especially acute because of the combination of the large number of officers required and the urgency of their deployment in view of the very tense conditions prevailing in the Sarajevo suburbs. Although the minimum qualifications required - eight years policing experience, ability to communicate in English and driving skills - have been specified to Governments, the number of those who failed to meet the criteria and to pass the required elementary tests upon arrival in the theatre has risen to alarming levels. In some cases, the majority of a contingent has failed in one or more tests, with the result that a large number of prospective monitors has had to be repatriated at the expense of the Government concerned. Precious time has been lost when deployment was urgently required, and the search for suitable replacements has caused further delay in the full deployment of the Task Force.

9. As at 27 March 1996, a total of 80 monitors have been repatriated - 57 for not meeting the language criteria and 23 for not passing the driving tests. To cope with this problem, the Department of Peace-keeping Operations has dispatched a police selection assistance team to a group of countries to conduct in-country tests prior to the contingents' travel. This approach allows for identification of highly skilled and qualified police officers before they are

sent to the theatre, thus saving time and resources for both the Organization and Member States. I should like to take this opportunity to appeal to contributing Governments to ensure that properly qualified personnel are provided for United Nations operations.

Civil affairs

10. It is my intention to replicate in UNMIBH the utility and effectiveness of the civil affairs component of UNPROFOR. As at 27 March, UNMIBH had filled 30 of the 49 civil affairs posts proposed; the remaining posts are in the process of being filled. Mostly co-deployed with IPTF, civil affairs officers will support their civil police colleagues and will provide their good offices for resolving problems among the parties on the ground. In coordination with the Office of the United Nations High Commissioner for Refugees (UNHCR), they will monitor population movements and assess their political implications. Civil affairs officers will also work in coordination with IFOR civil-military cooperation officers and liaise with other international organizations in the field. They will monitor political events, developments and trends and prepare assessments for UNMIBH headquarters. Their assessments will be shared with the High Representative, who anticipates establishing only a few regional offices, and who will rely on UNMIBH for reporting on the situation in both the Federation and the Republika Srpska.

Mine Action Centre

11. An estimated 3 million land-mines lie scattered throughout Bosnia and Herzegovina, mostly along former confrontation lines. Several Governments and international organizations have expressed a strong interest in assisting in mine clearance in Bosnia and Herzegovina. Some have already committed funds to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance. The International Committee of the Red Cross (ICRC) the United Nations Children's Fund (UNICEF) and a number of non-governmental organizations are either preparing, or have already started, mine awareness programmes.

12. At a meeting in Brussels on 16 February 1996, chaired by the Office of the High Representative and with the participation of the United Nations, the European Commission, the United States Government, IFOR, the World Bank, UNHCR and ICRC, it was recommended that a body be established to function as a clearing-house for policy matters and priorities related to mine clearance in Bosnia and Herzegovina. Participants would include the Government of Bosnia and Herzegovina, the Government of the Federation of Bosnia and Herzegovina, the Government of the Republika Srpska, and the participants in the Brussels meeting. The first meeting of a Mine Clearance Policy Group, under the Joint Civilian Commission, was convened in Sarajevo on 6 March 1996 to establish a framework for coordination and setting of priorities. The Group is chaired by a representative of the High Representative and will provide guidelines to a Mine Action Centre established by the United Nations, following a formal request from the Government of Bosnia and Herzegovina. The Centre, with adjunct regional offices, is to provide advice and assistance on all mine-related matters.

13. The first cell of the Mine Action Centre has been established as an integral and distinct unit in UNMIBH, with the following main responsibilities:

to advise and assist the Government in formulating and establishing a national mine-clearance programme and a national mine awareness campaign; to coordinate and, where requested, advise on all ongoing mine-clearance and mine awareness activities in Bosnia and Herzegovina; to function as the central repository for land-mine information through the collection and the collating of mine data from all available sources and disseminating this information to all interested parties; and to provide mine awareness education to the public at large as well as international personnel working in Bosnia and Herzegovina.

14. Once the programme, including the establishment of training facilities, is well under way, the Mine Action Centre would transfer its responsibilities to the national authorities. The Governments of the Federation of Bosnia and Herzegovina and the Republika Srpska themselves have a mine-clearance capacity within their military, police and civil defence forces. Limited mine-clearance and mine awareness activities have been carried out by them in the past, and international assistance must be geared to support and enhance this capacity.

15. The World Bank estimates that all mine-clearance activities in Bosnia and Herzegovina require US$ 70 million in the first 12 months of operations. This includes the operations of the Mine Action Centre, the conduct of a mine survey, the establishment of a field operation with a training component, mine awareness activities, and mine clearance in support of reconstruction. The World Bank has approached donors for support for mine-related activities in Bosnia and Herzegovina, but has received so far only limited response. This situation may improve following a World Bank-sponsored donors' conference which was held in Sarajevo on 16 and 17 March and at which funding for mine clearance was also discussed. With a number of organizations and Governments involved in the planning and execution of mine-related activities, coordination among all these parties is of the utmost importance to ensure a coherent approach and to avoid duplication of efforts.

United Nations High Commissioner for Refugees

16. In annex 7 to the Peace Agreement, UNHCR was asked to organize, in close consultation with the parties and the asylum countries, the return of refugees and displaced persons to their homes or places of their choice.

17. UNHCR has developed an operational plan to support the return of more than 2 million refugees and displaced persons in Bosnia and Herzegovina. This plan was presented to the Humanitarian Issues Working Group of the Peace Implementation Council on 16 January and strongly endorsed at a subsequent high-level working meeting in Oslo on 8 March 1996. It is a strategic and operational planning framework that will allow UNHCR to respond effectively to spontaneous and to organized movements throughout the country. Although UNHCR's planning figure for return for 1996 is 500,000 displaced persons and 370,000 refugees from abroad, it expects the number of actual returns to be considerably lower.

18. The deployment of IFOR, by providing a security umbrella and stabilizing the military situation, has improved freedom of movement in the country for humanitarian organizations. As a result, the humanitarian assistance operation led by UNHCR is now reaching 2.5 million needy people throughout the country.

Furthermore, in the past three months, more than 50,000 refugees and displaced persons have returned home in spontaneous and organized movements assisted by UNHCR. The Office is also receiving an increasing number of requests from refugees and displaced persons to visit their home areas.

19. The 50,000 people who have returned home in the past three months have done so almost exclusively to majority areas. In recent weeks, UNHCR has met with authorities from the Federation and the Republika Srpska to try to organize visits by displaced persons to their homes in non-majority areas in 15 municipalities in Bosnia and Herzegovina. This includes visits across the Inter-Entity Boundary Line as well as from Bosniac to Croat-held areas and vice versa within the Federation. With few exceptions, these visits have been refused, on grounds of lack of security guarantees or clear instructions from the leadership concerned. In other instances, visits by one ethnic group are conditioned on the other ethnic group being able to visit their own homes on the other side. As a result of the frustrations emerging from this situation, an increasing number of displaced persons have threatened to use force to return to their homes.

20. In accordance with chapter 2 of annex 7 to the Peace Agreement, an independent Commission for Real Property Claims of Displaced Persons and Refugees was established on 20 March 1996 with its main base in Sarajevo. Its function is to receive and decide any claims for real property in Bosnia and Herzegovina where the property has not voluntarily been sold or otherwise transferred since 1 April 1992, and where the claimant does not enjoy possession of the property. The Commission consists of four members appointed by the Federation, two members appointed by the Republika Srpska and three members appointed by the European Court of Justice. Given the close link between repatriation and property, UNHCR will be associated with the work of the Commission.

21. World Food Programme emergency food aid has been provided to refugees, internally displaced persons and the war-affected population since November 1991. The United Nations revised consolidated inter-agency appeal of 1 March 1996 maintains the same provisional estimates of food aid needs for Bosnia and Herzegovina in 1996, with a target volume of 23,000 metric tons per month, based on the assumption that most of the displaced persons will continue to be dependent on food aid for some six months after returning to their place of choice but that, as the economic recovery process accelerates and social security measures are established, relief food aid to other war-affected beneficiaries, such as minorities and unemployed and vulnerable persons, can be phased out gradually.

22. The successful return of refugees and displaced persons will depend on three factors: first, sustained security provided by the parties; secondly, massive economic and physical reconstruction; and, thirdly, a dramatic increase in mine-clearing efforts in those areas to which the refugees and displaced persons will return. Return must also take place in a gradual, orderly and phased way. Premature returns could threaten the fragile peace. Moreover, if large-scale returns are initiated before the confidence-building measures and the reconciliation process has taken hold, many of the returnees may end up going back to predominantly majority areas. This could further consolidate

ethnic divisions and undermine the spirit of the Peace Agreement. In this connection, UNHCR believes that arrangements to allow refugees and displaced persons to vote in the elections in their place of current residence are essential. UNHCR is coordinating with the Organization for Security and Cooperation in Europe (OSCE) to work out appropriate arrangements.

III. OTHER ACTIVITIES OF THE UNITED NATIONS SYSTEM

23. The major tasks assigned to UNMIBH relate to the International Police Task Force and to the return of refugees and displaced persons. Implicit in the latter mandate are also matters relating to humanitarian relief and human rights. The complexity of the arrangements under the Peace Agreement and the requirement to deal with three authorities - the Government of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and the Republika Srpska - necessitate close and effective coordination between the numerous international organizations involved. UNMIBH is required to participate in frequent coordination meetings, in particular with the High Representative and IFOR, to whom the Peace Agreement assigns the leading political and military roles. Coordination is also required with UNHCR, OSCE, ICRC, the World Bank, specialized agencies and other organizations with programmes on the ground, including non-governmental organizations. In addition to the important role being played by UNMIBH in police matters, several other United Nations institutions and specialized agencies have been active in the context of the return of refugees and displaced persons, humanitarian and human rights matters, as well as reconstruction and development issues. My Special Representative is coordinating closely with the High Representative and IFOR, while maintaining the autonomy of the United Nations Mission and its operational components.

United Nations Development Programme

24. In January of 1996, the Executive Board of the United Nations Development Programme (UNDP) adopted a decision on UNDP assistance to Bosnia and Herzegovina (decision 96/11). UNDP has established the posts of Resident Representative, Deputy Resident Representative and Operations Manager for Bosnia and Herzegovina, and the relevant staff are being identified. UNDP has also allocated resources from its core budget for the recruitment of local staff and to cover the initial costs of establishing a country office in Sarajevo, as well as for the operating costs of the office for 1996. The UNDP country office will be established in Sarajevo in late April or May 1996, and it is expected to be fully operational by June, to support the full implementation of the relevant programmes. A mission is on the ground at this time finalizing the necessary arrangements.

25. On the substantive programming side, UNDP fielded in March 1996 an inter-agency mission to Bosnia and Herzegovina, to establish a programming framework for the available resources, and to draft the necessary project proposals. The mission included representatives from the Department for Development Support and Management Services of the Secretariat, the United Nations Office for Project Services, the United Nations Population Fund, the International Labour Organization, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural

Organization, the Universal Postal Union, the United Nations Industrial Development Organization and the United Nations Volunteers. It was given the mandate to articulate development proposals that complemented the humanitarian and relief operations included in the United Nations consolidated appeal for the former Yugoslavia launched on 1 March 1996, and also to assist in the process of rebuilding civil society in the medium term. The programmes are to be undertaken at both the central and local levels (cantonal and municipal). Proposals are being developed to assist national capacity-building for essential central government institutions, in the transition to a market-based economy, and in the establishment of area-based development schemes to support the restoration of civil society. In close consultation with donors and other partners, an aide-mémoire is being concluded with the Government of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and the Republika Srpska, outlining these agreements.

26. UNDP will ensure that all its programmes are coordinated with those of other multilateral and bilateral partners. The first major UNDP-funded programmes are expected to become operational in April/May 1996. As noted in the March 1996 consolidated appeal for the former Yugoslavia, and as requested during the consideration of the above-mentioned Executive Board decision, UNDP will submit to donors a multi-sectoral medium-term development programme.

27. To date, the Government of Japan has made a generous contribution of $30.9 million for a UNDP programme in the above-mentioned areas; in addition, substantial contributions have been received from the Governments of Austria and Italy. UNDP will contact donors for further funding support upon the development of the relevant proposals.

World Bank

28. The World Bank is assisting Bosnia and Herzegovina in its reconstruction effort now that the Peace Agreement has provided an institutional framework for rebuilding the country. Given the exceptional needs and circumstances after the war, the Bank adopted a two-pronged strategy to support Bosnia and Herzegovina. First, without waiting for financial normalization and membership in the Bank, an initial wave of reconstruction projects is being prepared to help jump-start the reconstruction effort. In order to finance these urgently needed projects, a $150 million trust fund for Bosnia and Herzegovina was set up, from the Bank's surplus. Its establishment was formally approved by the Governors of the Bank on 23 February 1996.

29. Following membership and arrears clearance, the second prong of the Bank's strategy is designed to provide full-scale support to Bosnia's reconstruction programme and systematic transformation over the medium term. Given the vast size of reconstruction needs in Bosnia and Herzegovina, its fragile fiscal capacity and limited creditworthiness, the Board discussed an exceptional level of support from the International Development Association over the fiscal period 1996 to 1999, which would be in addition to the resources provided by the trust fund. To respond to the country's needs for significant support, early on, to rebuild infrastructure and jump-start the economy, a significant portion of this assistance would be front-loaded during the first two years, and would support further projects in education, power and gas supply, housing, employment

creation and at least one structural adjustment credit to support economic reforms in the enterprise and banking sectors and in public finance. Bosnia and Herzegovina is expected to borrow a comparatively large amount from the IDA over the next three years; as its creditworthiness improves, IDA lending will be phased down and loans from the International Bank for Reconstruction and Development will begin to increase.

IV. TRANSFER OF AUTHORITY IN THE SUBURBS OF SARAJEVO

30. During the last month, UNMIBH, and especially IPTF, have been predominantly concerned with the transfer of the Bosnian Serb-controlled suburbs of Sarajevo to the authority of the Federation of Bosnia and Herzegovina, to achieve the reunification of the city under the terms of the Peace Agreement. It was evident from the start that there was considerable fear among Bosnian Serb residents of the suburbs, many of whom had been displaced from other parts of the country in the course of the conflict. They feared that the transfer would result in retribution by returning residents of other ethnic origins, who themselves had been displaced or forcibly evicted or had fled during the war. To minimize the departure of the Bosnian Serb residents of Sarajevo would have required strong and clear reassurances from both the Bosnian Serb leadership and from Federation authorities as well as practical measures by the Federation police who were to take charge of the suburbs.

31. Following a joint statement on 4 February 1996 by the High Representative and IFOR regarding the hand-over of the suburbs to the Federation by 19 March, a joint plan was worked out with the Task Force under which the transfer of authority from the Republika Srpska to the Federation police in the five suburbs would be effected in five phases from 23 February to 19 March. The sequence for transfer was as follows: Vogosca on 23 February; Ilijas on 29 February; Hadzici on 6 March; Ilidza on 12 March; and Grbavica on 19 March. The plan, agreed to by the Federation Government, envisaged strict control and monitoring of Federation police by the Task Force, with IFOR support. The key elements of the plan included an agreed ratio of IPTF to Federation police in the various areas; the issuance of special identity cards for Federation police authorized and cleared by IPTF; a change in the composition of the Federation police in each suburb to reflect the ethnic mix of the population according to the 1991 census; IPTF authorization of Federation police check-points; and requests in advance for searches of houses or private property. These searches were to be monitored by the Task Force. Civilian authority was to be transferred to the Federation in all suburbs on 20 March, the political aspects being dealt with by the Office of the High Representative.

32. UNMIBH's aims were twofold: first to ensure an orderly transfer by closely monitoring the outgoing and incoming police, and, second, to reassure the Bosnian Serb population through the Task Force's presence, in the hope that a significant number would stay. In the first three suburbs, the first aim was largely attained and there were few complaints against the Federation police who took control, although the relatively small number of Bosnian Serbs who chose to remain have been harassed by returning Bosniacs. IPTF efforts to reassure the population failed, however, as over 90 per cent of the Bosnian Serbs left in a planned but poorly organized exodus. The suburb of Ilidza witnessed serious law

and order problems after the hand-over when thousands of Bosniacs from Sarajevo entered the suburb and proceeded to harass and intimidate many of the remaining 3,000 to 4,000 Bosnian Serb residents, robbing and looting their apartments in the process. Despite stricter measures being put in place, including additional Federation officers authorized by the Task Force, conditions in Grbavica deteriorated as Bosnian Serb police abandoned their duties. The Federation authorities and their police, who took control of these suburbs, did little to prevent or halt such lawlessness.

33. There are strong indications that the Bosnian Serb leadership in Pale had decided that Bosnian Serbs, including long-time residents of Sarajevo, should not be allowed to remain in those suburbs which were to be transferred to the Federation. An overt and insidious campaign of pressure to induce them to leave was undertaken, with intimidation being employed as necessary. Gangs of youths visited and threatened Bosnian Serb residents who were undecided or wished to stay. Truck convoys were organized to hasten their departure in bitter winter weather, often to pre-determined destinations where provisional housing had been arranged. Arson, looting and harassment were widespread, especially in Ilidza and Grbavica. UNMIBH civil affairs and UNHCR field offices in Ilidza were robbed and subsequently set on fire. In all five suburbs, the economic infrastructure was dismantled and removed before the hand-over dates. Institutions such as hospitals, clinics, schools, water, electricity and gas plants and factories were left completely stripped. Consequently, the restoration of utilities has become a priority for Federation authorities.

34. For its part, the Government of Bosnia and Herzegovina did little to encourage the Bosnian Serb residents to stay. The television controlled by the ruling Party of Democratic Action (SDA), which was widely watched in the Bosnian Serb-held suburbs, continued to carry religious and nationalist programming. Virtually no guarantees were given or attempts made to reassure the Bosnian Serb population, apart from some half-hearted statements from government authorities. This is all the more deplorable as some Bosnian Serb leaders in the Sarajevo suburbs had taken great political and personal risks to remain in the city and persuade their constituents to do the same. Many of those who did remain have now started to leave because of intimidation and harassment by Bosniac gangs.

35. During the transfer, the Task Force had very limited resources to work with, because of the delayed availability of police monitors. The Commissioner had only 150 monitors at the start of the transfer, and 350 by the end of the process, to deploy in the five suburbs for 24-hour monitoring and patrols. IPTF worked closely with IFOR, depending on the latter for support, and joint patrols were conducted in Ilidza and Grbavica. IFOR provided escort to Federation fire-fighting vehicles and personnel to douse fires in the five suburbs, especially in Ilidza and Grbavica. Aside from the aforementioned tasks, IFOR declined to undertake any task it considered would draw it beyond the limits of its mandate into policing or law and order functions, and IPTF, an unarmed, monitoring and advisory force, has no mandate to take action to maintain law and order.

V. OBSERVATIONS

36. As the Peace Agreement and relevant resolutions of the Security Council assign to the High Representative and the Commander of IFOR the responsibility for supervision of its implementation, I shall comment only in general terms on these aspects.

37. It is evident that the military undertakings under the Agreement have been complied with under the powerful presence of IFOR. Thus a relatively stable military environment has been established for the implementation of the extremely complex political and civilian undertakings contained in the Agreement. However, the two aspects are interconnected, and only when the latter goal is achieved can the implementation of the Peace Agreement be considered successful. I need hardly reiterate that this latter goal cannot be achieved in the absence of timely and adequate financial and technical assistance.

38. The bitterness, fears and hatred created by the past four years of war are the underlying forces that led to the recent exodus of the Bosnian Serb population of Sarajevo. As noted, however, the Bosnian Serb and the Federation authorities bear a great responsibility for this set-back, as they did not show any determination to reassure and persuade the Serb population to stay on. This has resulted in another round of population movements along "ethnic" lines, further separating Bosnian Serbs and Bosniacs, and delivering a telling blow to the multicultural nature of Sarajevo society. There still remains the possibility that a number of the Bosnian Serb Sarajevans, who left and now find themselves in difficult conditions in their new environment, may consider returning to Sarajevo if they feel that conditions there are secure enough, especially if they can regain access to their homes upon their return. The Federation authorities, however, will have to adopt a radically different policy towards reconciliation if they wish to encourage the reconstitution of a multicultural Sarajevo.

39. Besides the unique difficulties faced in Sarajevo, the larger problem of displaced persons and refugees persists throughout the former Yugoslavia. The principle of the return of refugees and displaced persons to their homes or place of their choice must apply not only in Bosnia and Herzegovina but also in Croatia - including Eastern Slavonia - and the Federal Republic of Yugoslavia, as must freedom of movement. The problems of displacement in the region are interrelated and so are the solutions.

40. Meanwhile, the challenge remains to strengthen the links between the two entities to whom the Peace Agreement assigns considerable autonomy and constitutional authority. Here, too, the restoration of some degree of confidence at the political level is essential for them to work together in Bosnia and Herzegovina. It is understandable that the restoration of such confidence may be impeded by the deep wounds and distrust left by the conflict at the individual human level as well as by current political calculations. Healing, however, must be encouraged by conciliatory decisions and actions by the leadership of both sides.

41. Within the Federation, persistent strains between the two partners are a major cause for concern. A territorial dispute in western Bosnia, disagreement over the status of Sarajevo, frictions between the two police forces and the failure of the parties to implement earlier agreements on economic and political matters, have all exacerbated existing difficulties. Unless the two communities make determined and sustained efforts to avoid conflict, establish cantons as agreed and strengthen Federation structures, divisive trends will increase. This will not only further weaken the Federation, but will have repercussions on the structure of the state of Bosnia and Herzegovina.

42. It is in the midst of these tensions that UNMIBH and its principal component, the International Police Task Force, are operating. I must stress that annex 11 to the Peace Agreement envisages the Task Force as an unarmed, monitoring and advisory force. As mentioned in paragraph 35 above, it is on this basis that the Security Council authorized its deployment and contributing Governments have provided personnel. It is not feasible to assign to this unarmed force the task of enforcing law and order in a country awash with weapons, all the more so when it has no legal authority to do so.

43. UNMIBH currently faces financial uncertainties, as well as uncertainties relating to the dilemma that will arise if IFOR is withdrawn as anticipated by the end of the year. I should like to recall my view (S/1995/1031, para. 29) that the Task Force's mandate should be coterminous with IFOR's. It is unrealistic to envisage a civilian police operation continuing its work without the framework of security provided by the presence of a credible international military force.

44. Finally, I must reiterate that peace cannot be durable unless it is accompanied by justice. Following one of the most bitter wars in Europe since 1945, with unspeakable atrocities against civilians reaching the level of crimes against humanity, those individuals indicted by the International Tribunal for the former Yugoslavia must be brought to trial. Peace with justice is an overriding goal of the international community, and it is the legal and moral duty of all signatories to the Peace Agreement to assist in its attainment.